

T³: Trustee Training Tips

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BYLAWS, BY THE WAY

Every library has them. Most trustees even have their very own copy. But possessing bylaws and following them are often two very separate things. Carol Weisman, a nationally known trainer in non-profit board issues, says “there are two types of bylaws: fiction and nonfiction. Bylaws become fiction when members don’t know what they contain.” [Interesting terminology for our particular audience, isn’t it?]

Bylaws differ when they address organizations with a general membership (like KLTA) from those where the board is the entire membership (like an individual library board). In the former, bylaws provide the rules for operation and are usually adopted and amended by the entire membership. In the latter, they are adopted and amended by the board, but often over a period of a few months, bogged down with public readings and other complications better suited to a membership set of bylaws.

Bylaws tend to be ignored and are rarely updated to reflect the actual operations of the board and to ensure that board policies are not in conflict with their bylaws. An annual examination of the bylaws would be a good item to add to the library’s Twelve Month Agenda. An excellent example of a need to revise might be the time and day of the regularly scheduled monthly meeting. Has your library ever changed meeting times for whatever reason? Did your bylaws list your regularly scheduled meetings? Did you go through your own adopted process for amending your bylaws when you did this?

The above situation can be simplified by either (1) replacing the exact time and day of the meetings with a statement that regularly scheduled monthly meetings are held as designated by the board or (2) by changing the process of amending the bylaws. For library boards, a process of public readings of proposed changes is cumbersome and unnecessary.

What should a set of bylaws contain? A sample is provided in the *Kentucky Public Library Trustee Manual*, but this version does list a specified meeting time. Other items found in most public library bylaws include: authority, mission, library objectives, board of trustees, officers, duties of officers, meetings, quorum, fiscal year, committees, library director, agenda, parliamentary procedure, and amendments.

Perhaps your library needs to spring clean its bylaws. Ask your regional librarian to provide samples and advice on how to make them more responsive to your needs.

EVALUATING YOUR CEO

Spring may mean many bright and beautiful things to you, but does your list include the annual performance appraisal of your library director? If not, you may wish to add it. To be quite honest, most library boards do not tie the annual evaluation to pay raises, but what better time to conduct the appraisal than right before deciding the coming fiscal year's budget? If you are genuinely pleased with the job that's been done, what better way to say "Thank You" than an increase in compensation? Without a formal process and group discussion of his performance, what criteria will you use to determine his salary?

Conducting an evaluation is serious business. It is also frequently misunderstood business. This is not a punitive measure, nor a time to berate with a laundry list of things done badly. It is a way of helping your library's CEO improve job performance, and ultimately improve the library. It is a way the board can provide support, encouragement and feedback.

Successful evaluations are ones that have been carefully planned. Asking your regional librarian to provide you with some sample forms is a good beginning, but each board will need to determine for itself what evaluation instrument it wishes to use. Once determined, the form should be shared with the library director so she will know by what measuring process she is being judged. Expect your director to do a self-evaluation.

A committee of the American Library Association identified these nine core areas of competency for public library directors:

- budget and finance
- fundraising
- building maintenance
- personnel management
- technology

- forging alliances
- planning and marketing
- serving diverse populations
- being aware and responsive to current issues in public library management

The Cain Consulting Group, consultants in non-profit management, recommend the director's evaluation be based on compliance with the library's mission, philosophy, goals, and the director's job description. They go on to recommend these steps: (1) the board develops the evaluation instrument; (2) copies are given to all trustees and the director for their individual assessment; (3) the board meets, without the director present but with his self-evaluation, to discuss their individual responses and come to consensus on a board response to each component; (4) the board shares their group consensus with the director; and (5) the director responds to the board.

Boards may be reluctant to embrace the evaluation process because they feel they don't understand the day-to-day mechanics of running a successful library program. That is not necessary; that's why you have a director. You can, however, evaluate what you do know—progress toward goals defined in the strategic plan, sound financial practices, and a good working relationship with the board.

So, what if you don't know how to answer a question or two on the form? Should you ask staff for input? No. This is the employer (the library board) evaluating the employee (the library director) and staff have no role in it. If you can't answer a question, leave it blank. When the entire board is discussing their responses you may better understand the question or you may discover other trustees also left it blank.

This is an obvious clue to replace this question with something else next time. The evaluation form should not be static, but should be evaluated for its usefulness each time, with changes made as needed.

Another pitfall many trustees plunge into is thinking a formal, written instrument is not necessary—that a cozy, casual discussion with the director will be sufficient. Such an approach will leave you with nothing more than generalizations and, even worse, leave your director with no real direction for the future. And, to be brutally honest, should the day ever come that a board wishes to replace a less than stellar director, there will be no documented history on which to build a case for termination.

Is the performance appraisal a public record? No, it is not. But retain the board's evaluation, not the individual ones, for comparing performance over time and so future boards will have access to your assessments. A logical place would be with the secretary's off-site copy of the board meeting minutes. Those individual written evaluations that each trustee brought to the discussion should be destroyed.

What should new board members do? New trustees, especially those that have been there less than six months, may find it difficult to answer many of the questions. That doesn't mean you should excuse yourself from the process, however. Just answer those questions you feel you can answer and leave the others blank.

Should the board invite their regional librarian to be a part of the discussion? That is a decision left up to each board. Obviously the regional librarian does not have a vote, but may be able to help in several ways. For a board unaccustomed to

doing formal evaluations, your regional librarian can guide you through the process without influencing the outcome. Another advantage, to the director, is having a professional librarian present to explain potential criticisms that trustees may not realize are legitimate parts of the job. And regional librarians can advocate for monetary recognition of a job well done in ways that many directors might hesitate to use for themselves.

Trustees, you are entrusted by the tax-paying public to provide them the best, highest quality library service possible for their money. Ignoring your responsibility to do what you can to provide the best management possible is a violation of that trust. You can only do your job if you make sure management is doing its job. You can only determine that by conducting proper annual evaluations.

The rule can be simple: pay your CEO well and demand a lot for that compensation.

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LIBRARY LETTERS

*Dear Marian Librarian,
Our library director presented us with a proposed policy on how our library would handle Family Medical Leave (FMLA), but we only have three employees so doesn't that make us exempt?*

-- Troubled Trustee

Dear Troubled,

You are laboring under a common misunderstanding. In the private sector, FMLA does exempt those with less than 50 employees, but in the public sector there is no minimum. Even with only three employees the library is covered. Your director is correct in bringing a proposed policy before the board as there are several issues regarding FMLA that will be policy decisions – concurrent vs consecutive use, defining the year, etc. Look for a detailed analysis in the next *Kentucky Public Library Newsletter* or ask your regional librarian.

HOW MUCH DO YOU KNOW?

The following quiz will let you test your knowledge on the topics covered in this publication. The answers are under "Publications" on KDLA's web page <www.kdla.net>.

1. How might a library board go about updating its bylaws? Especially if the bylaws are very old and in need of major revisions?
2. Why should a library board evaluate its director?
3. As a new trustee I don't have enough experience to judge the director's performance. Should I ask staff for input?
4. How often should the board evaluate its director?
5. Do we have to deal with the federal laws on Family Medical Leave?

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PLEASE FORWARD

ANSWERS TO T³ QUIZ:

1. How might a library board go about updating its bylaws? [page 1]

An excellent way to start is to add this task to your library's Twelve Month Agenda [see T³ – Summer 2001 issue] and initiate an annual review. Correct any parts of the bylaws that are not reflecting current practice or change current practice to abide by the bylaws. If the corrections are major or you cannot find your bylaws, consider writing a new set and adopting them with the understanding (recorded in the minutes) that this version replaces and makes null and void any previous bylaws. And, don't forget to date when you adopt or adopt revisions.

2. Why should a library board evaluate its director? [pages 2-3]

There are several good reasons. A major reason is that it is part of the board's responsibility to the community to assure the best possible library service it can and a periodic review of management (director) is necessary to determine that. Another important reason is the opportunity it gives to both director and trustees to discuss the strengths and weakness, not just of the director's performance, but of the whole library operation. It is not uncommon in a well designed evaluation for obstacles the director faces to be "fixed" by boards that had been unaware of them previously. The evaluation provides the director with feedback. Should a library board be unhappy with the director's performance, how can it expect improvement without sharing their concerns? This is also a good time to let the director know how the board perceives the library's future and where it wishes him/her to take them. An honest assessment is absolutely necessary. Rating a mediocre performance as excellent merely encourages more mediocrity.

3. As a new trustee I don't have enough experience to judge the director's performance. Should I ask staff for input? [pages 2-3]

No, staff have no role in a director's evaluation. This is between the board and the director and involving staff may undermine the director's ability to supervise his/her employees. Remember, the board has only one employee and should limit its supervision to that one employee. The director, however, has the entire staff to supervise and to evaluate yearly as well. Trustees must hold him/her accountable for how the library staff performs.

4. How often should the board evaluate its director?

Trick question! The text of this issue does not say outright how often a performance appraisal should be conducted, but it does imply that this is a yearly event. This implication applies to established directors. New hires need to be evaluated more often. Common practice is to do a formal evaluation after 6 months and then get on a yearly schedule. Regardless of the time of year the cycle begins, most board settle on a March-May window, completing the evaluation just prior to setting salary expenditures in the new fiscal year budget.

5. Do we have to deal with the federal laws on Family Medical Leave? [page 4]

Yes. And there are several wrinkles you will need to iron out as you write your policy on this. Look for a detailed article in the May-June issue of the Kentucky Public Library Newsletter, due out in early May.